

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Lars Bjorck et al.

Attorney Docket: KCO1004US

Serial No.: 09/869,677

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Filed: June 29, 2001

MAR 04 2002

For: STREPTOCOCCAL ABC TRANSPORTER PROTEIN

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**TRANSMITTAL LETTER**

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Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is the following:

1. Amendment and Response (3 pages);
2. Copy of Notification of Missing Requirements (2 pages);
3. January 8, 2002 fax to Barbara A. Campbell, including Combined Declaration for Patent Application and Power of Attorney (signed) and Change of Correspondence Address (14 pages);
4. Sequence Listing (5 pages); and
5. Disk containing sequence listing.

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**Certificate of Express Mail/Transmission (37 C.F.R. 1.8(a))**

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Date:

*February 7, 2002*

Signature:

*Jodi Jung*

Name: Jodi Jung

Transmittal Letter  
Applicants: Lars Bjorck et al.  
Serial Number: 09/869,677

Attorney Docket: KCO1004US

It is believed that no fees are due. If any fees are due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 16-2312. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

Date: February 7, 2002

By Patrick J. O'Connell

Customer No. 009561

Patrick J. O'Connell, Esq. (33,984)

Miriam G. Simmons (34,727)

POPOVICH & WILES, P.A.

IDS Center, Suite 1902

80 South 8th Street

Minneapolis, MN 55402

Telephone: (612) 334-8989

Representatives of Applicants



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U.S. APPLICATION NUMBER NO. 09/869,677	FIRST NAMED APPLICANT Lars Bjorck	ATTY. DOCKET NO. 100084.416USPC
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INTERNATIONAL APPLICATION NO.

PCT/GB99/04445

IA. FILING DATE

12/30/1999

PRIORITY DATE

12/31/1998

James M Verna  
Seed Intellectual Property Law Group  
701 5th Avenue Suite 6300  
Seattle, WA 98104-7092

Transferred  
Aug. 3, 2001

ENTERED IN DOCKET

ALREADY

CONFIRMATION NO. 8541

371 FORMALITIES LETTER



\*OC000000007189320\*

Date Mailed: 12/14/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

Response to action due -

per shortened statutory period:

per extension by petition and extension fee

per month extension fee

per month extension fee

per month extension fee

per month extension fee

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LAW GROUP PLLC

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e),

NOTES  
due 1/10  
JEP

1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/869,677	PCT/GB99/04445	100084.416USPC

**POPOVICH  
& WILES, PA**

ATTORNEYS AND COUNSELORS AT LAW

1902 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402  
(612) 334-8989  
Fax (612) 334-8994

**Patrick J. O'Connell**  
(612) 334-8993

<b>To: Barbara A. Campbell</b> <b>Serial No.: 09/869,677</b> <b>Company: United States Patent and Trademark Office</b> <b>Location: Arlington, VA</b> <b>Phone: 703-305-3631</b> <b>Fax: 703-305-3230</b>	<b>From: Patrick J. O'Connell</b>  <b>Direct phone: 612-334-8993</b>  <b>Date: January 8, 2002</b> <b>Pages including cover sheet: 13</b> <b>Reference #: 453</b>
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I hereby certify that 13 pages including cover are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

Date:

*January 8, 2002*

Signature:

*Jodi Jung*

Name: Jodi Jung

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Lars Björck et al.

Attorney Docket: KCO1004US

Serial No.: 09/869,677

Filed: June 29, 2001

For: STREPTOCOCCAL ABC TRANSPORTER PROTEIN

-----

**COMMUNICATION**

Attn.: Barbara A. Campbell  
Box PCT  
Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

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MAR 04 2002  
TECH CENTER 1600/2900

Dear Sir:

We have received a Notification of Missing Requirements Under 35 U.S.C. 371 dated December 14, 2001. The Notification is addressed to the law firm that originally filed this application and requires that we submit a declaration and a sequence listing.

We filed a Change of Correspondence Address and Declaration and Power of Attorney for this application on October 9, 2001 by Express Mail. Copies of these documents and the Express Mail label are enclosed. We have not received a stamped postcard.

---

**Certification of Facsimile Transmission**

I hereby certify that 13 pages including cover are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

Date:

*January 8, 2002*

Signature:

*Jodi Jung*

Name: Jodi Jung

Communication  
Applicants: Lars Björck et al.  
Serial Number: 09/869,677

Attorney Docket: KCO1004US

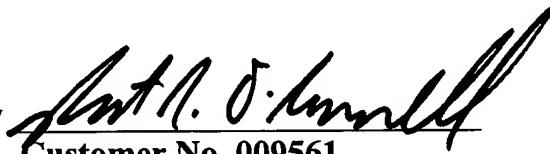
Please confirm that the Change of Correspondence Address and Declaration and Power of Attorney are acceptable by calling the undersigned at 612-334-8993. We will file a response to the Notification of Missing Requirements in which we will respond to the sequence listing objection.

It is believed that no fees are due in connection with this submission. However, if this is incorrect, please charge any additional fees to Deposit Account No. 16-2312.

Respectfully submitted,

Dated: January 8, 2002

By



Customer No. 009561  
Thomas E. Popovich (30,099)  
Patrick J. O'Connell (33,984)  
POPOVICH & WILES, PA  
IDS Center, Suite 1902  
80 South 8th Street  
Minneapolis, MN 55402  
Telephone: (612) 334-8989  
Attorneys for Applicants

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**The mail stamp of the Patent and Trademark Office on card  
acknowledges the filing on the date stamped of:**

**Transmitted herewith is a Transmittal Letter with cert. of express mail (2 pages,  
in duplicate); Change of Correspondence Address with cert. of express mail (2  
pages); and Declaration and Power of Attorney (signed, 4 pages).**

**Applicants: Lars Bjorck et al.  
Title: Streptococcal ABC Transporter Protein  
Serial No.: 09/869,677  
File No.: KCO1004US  
Due Date:  
Initials: TEP/PJO/MGS  
Mailed: October 9, 2001  
Express Mail Label No.: EV 008531279 US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Lars Bjorck et al.

Attorney Docket: KCO1004US

Serial No.: 09/869,677

Filed: June 29, 2001

For: STREPTOCOCCAL ABC TRANSPORTER PROTEIN

-----

**TRANSMITTAL LETTER**

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith are the following:

1. Change of Correspondence Address (2 pages); and
2. Declaration and Power of Attorney (signed, 4 pages).

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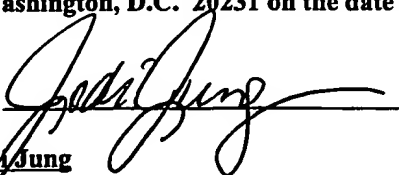
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Date: October 9, 2001

Signature: 

Name: Jodi Jung

Transmittal Letter  
Applicants: Lars Björck et al.  
Serial Number: 09/869,677

Attorney Docket: KCO1004US

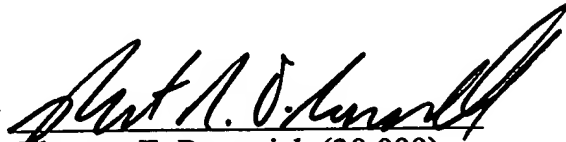
Please charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 16-2312. A duplicate copy of this transmittal letter is attached.

Respectfully submitted,

Dated:

October 9, 2001

By



Thomas E. Popovich (30,099)  
Patrick J. O'Connell (33,984)  
POPOVICH & WILES, PA  
IDS Center, Suite 1902  
80 South 8th Street  
Minneapolis, MN 55402  
Telephone: (612) 334-8989  
Attorneys for Applicants

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Lars Björck et al.

Attorney Docket: KCO1004US

Serial No.: 09/869,677

Filed: June 29, 2001

For: STREPTOCOCCAL ABC TRANSPORTER PROTEIN

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**CHANGE OF CORRESPONDENCE ADDRESS**

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

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Dear Sir:

The above-identified application under 35 U.S.C. § 371 was filed by another law firm and did not include a declaration and power of attorney. Responsibility for this application was transferred by the client from the previous law firm to Popovich & Wiles, P.A., whose attorneys and agent are listed in the enclosed Declaration and Power of Attorney. The enclosed executed Declaration and Power of Attorney directs that all correspondence be sent to the undersigned attorney. Consistent with the Declaration and Power of Attorney, please ensure that all correspondence is sent to:

Patrick J. O'Connell, Esq. (33,984)  
POPOVICH & WILES, P.A.  
IDS Center, Suite 1902  
80 South 8th Street  
Minneapolis, MN 55402

---

**Certificate of Express Mailing (37 C.F.R. § 1.10)**

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Date: October 9, 2001

Signature: 

Name: Jodi Jung

Change of Correspondence Address  
Applicants: Lars Björck et al.  
Serial Number: 09/869,677

Attorney Docket: KCO1004US

Please charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 16-2312.

Please direct all telephone calls to Patrick J. O'Connell at (612) 334-8989.

Respectfully submitted,

Date: October 9, 2001

By: 

Thomas E. Popovich (30,099)  
Patrick J. O'Connell (33,984)  
POPOVICH & WILES, PA  
IDS Center, Suite 1902  
80 South 8th Street  
Minneapolis, MN 55402  
Telephone: (612) 334-8989  
Attorneys for Applicants

Docket Number: KCO1004US  
Declaration for Patent Application

**COMBINED DECLARATION FOR PATENT  
APPLICATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: STREPTOCOCCAL ABC TRANSPORTER PROTEIN

the specification of which (check one)

\_\_\_\_\_ is attached hereto.

  X   was filed on June 29, 2001 in the United States Patent and Trademark Office as Application Serial No. 09/869,677 and was amended on       N/A      .

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 or 365 of any foreign application(s) for patent or inventor's certificate or PCT International Application(s) which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT

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International Application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Filing Date	Priority Claimed	
			Yes	No
PCT/GB99/04445	PCT	December 30, 1999 (12/30/99)	X	
9828880.6	United Kingdom	December 31, 1998 (12/31/98)	X	

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States Provisional Application(s) listed below:

N/A

(Application No.) (Filing Date)

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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) or any PCT International Application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

N/A

(Application No.)

(Filing Date)

(Status)

(patented, pending/abandoned)

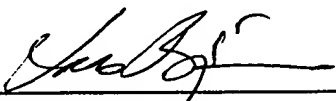
I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith: Thomas E. Popovich (Reg. No. 30,099), Terry L. Wiles (Reg. No. 29,989), Patrick J. O'Connell (Reg. No. 33,984), and Miriam G. Simmons (Reg. No. 34,727).

Address all telephone calls to: Patrick J. O'Connell at (612) 334-8989.  
Address all telefaxes to: Patrick J. O'Connell at (612) 334-8994.

Address all correspondence to: Patrick J. O'Connell, Popovich & Wiles, PA, Suite 1902, IDS Center, 80 South 8th Street, Minneapolis, Minnesota 55402-2111.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Lars Björck  
Full name of first joint inventor

X   
Inventor's signature

August 29, 2007  
Date

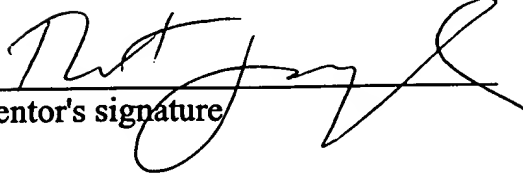
Magle Stora Kyrkogata 10  
S-223 50 Lund  
Sweden  
Residence

Sweden  
Citizenship

Magle Stora Kyrkogata 10  
S-223 50 Lund  
Sweden  
Post Office Address



Robert Janulczyk  
Full name of second joint inventor

X   
Inventor's signature

10/9 - 01  
Date

Vildanden W304  
S-227 34 Lund  
Sweden  
Residence

Sweden  
Citizenship

Vildanden W304  
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Sweden  
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-POPOVICH & WILES P.A. -

\*\*\*\*\* -612 334 8994 - \*\*\*\*\* 612 334 8994- \*\*\*\*\*

**POPOVICH  
& WILES, PA**

ATTORNEYS AND COUNSELORS AT LAW

1902 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402  
(612) 334-8989  
Fax (612) 334-8994

Patrick J. O'Connell  
(612) 334-8993

<b>To: Barbara A. Campbell</b> <b>Serial No.: 09/869,677</b> <b>Company: United States Patent and Trademark Office</b> <b>Location: Arlington, VA</b> <b>Phone: 703-305-3631</b> <b>Fax: 703-305-3230</b>	<b>From: Patrick J. O'Connell</b>  <b>Direct phone: 612-334-8993</b>  <b>Date: January 8, 2002</b> <b>Pages including cover sheet: 13</b> <b>Reference #: 453</b>
--	---

Comments:

**Certification of Facsimile Transmission**

I hereby certify that 13 pages including cover are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

Date: January 8, 2002

Signature: Jodi Jung

Name: Jodi Jung

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